

## Response to The Localised Planning Statement

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I write principally from my experience and understanding of Woodend.

I am puzzled.

The Minister undertook to protect the Macedon Ranges.

To that end the Macedon Ranges Protection Advisory Committee was convened, took public submissions and delivered 12 recommendations which the Minister accepted.

The Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017 and this LPS were to be the embodiment of those undertakings. From the outset it can be said that the first is well drafted and consistent, while the LPS is profoundly at odds with the stated intention of the Minister and the recommendations of the MRPA Committee. The LPS is a retrograde step from the Ministerial Statement of Planning Policy No 8

This move to protection is in the context of the preceding years of work, closely followed by the community of the Shire to do with the future development of the Shire and its towns.

The MRSC had been involved, over the last decade, in the scheduled reframing of its planning scheme. A Settlement Strategy, land use reports, available land for housing reports, public submissions to draft Town Structure plans, drafts, more submissions and not one but two planning panels for Woodend's Town structure plan describe but some of the close examination of the facts and issues around this matter. The Settlement strategy ( 2011) at the base of this process identified Gisborne, Kyneton and Romsey as the towns to be developed and take the bulk of the population increase.

The Council Planning department belatedly accepted community input, sticking to an uncritical and unsophisticated, pro-development position. Junior, largely un-briefed officers were sent to represent their council's at Planning Panels. During the latter part of the process I sat on a Community Reference group run by the Shire to gather and focus community input. Woodend Community funded senior planning legal representation to support the community position at these panels in the face of the substantial legal presence of developers. In the end C98 defined for many shire towns distinct Town boundaries and in Woodend's case identified housing land with that boundary until 2038.

So the Minister signed off of C98 in June 2017. The community thought it had resolved the issue of town boundaries. The Minister's promise of protection and the well drafted The Planning and Environment Amendment (Distinctive Areas

and Landscapes) Bill followed. The Localized planning scheme propositions are at odds with C98, and the bill already mentioned. It is procedurally flawed .

Speaking for Woodend, and I have the impression the same holds true for Kyneton, untested “investigation areas “ have been included in the declared settlement boundaries that would be binding for 50 years.

1. Mapped future investigation areas from local town plans have been elevated to land for future development by being included on the settlement boundaries. This, in the face of town plans, signed off in 2017, concluding that extra land was NOT needed in the medium or longer term. Their inclusion seems to be arbitrary and lacking proper process.
2. These investigation areas were included in the town planning process at the request of the C84 panel and have constraints of high fire risk, flooding and heritage loss.
3. By including them in a declared settlement boundary their status in rezoning deliberations is raised. They are by default identified as areas of future growth. The value of those parcels is increased because everything outside the boundary is excluded. Which town planner could resist rezoning for tracts of land identified in legislation?
4. For Woodend these parcels of land adds 500 hectare to the town if all three are rezoned. They are untested in terms of rezoning strictures and the Planning and Environment Amendment (Distinctive Areas and Landscapes) requirements. The Shire and communities then are destined to contest these cashed up developers from the minute the LPS is declared passed. This is NOT protection. The Shire and the communities do not have the economic wherewithal to slug it out with developer barristers in endless VCAT hearings. The Town boundary declared in C98 for Woodend, valid until 2038, is rendered meaningless.
5. I suggest that their inclusion is procedurally flawed in that they were just three tracts of land, offered by developers, that were on the desk of the MRSC planning department after the C84 panel. They were areas of future investigation, largely unexamined with the Davies hill parcel seriously inappropriate but still included. Were other landholders around any of the shire towns given an opportunity to be part of this 50-year lock down? Was there an explicit tendering or long term planning consultation?
6. Even assuming the acceptability of all of these land parcels there is no population trigger necessary to indicate the need to begin consideration of one of the three tracts of land. C98 established there was no need for new land for housing until 2038. The owners of these unproven tracts can rush to push for rezoning and development and more than double the size of the village. One wonders why all three were included.

7. Through the entire Woodend Town Structure Planning process structural and environmental limitations to significant growth in Woodend were identified and accepted by the Planning panels.
8. The declared town boundary should be the declared settlement boundary.

The LPS uses “policy domains” identifying areas of focus within the legislation. The focus seems to be on state-wide significance rather than a particular identification what qualifies the Macedon Ranges as a “distinctive area and landscape”. It is expressed in a mixture of open generalisations with significant gaps. There is no prioritising of outcomes that was available in Min. 8. This does not advance protection.

There is no examination of land use threats .The 50 year vision reflects the Council planning view expressed to the MRPAC that protection isn't necessary and that development growth should given the green light. There are generally framed motherhood statements that would confuse rather than clarify planning decisions. It doesn't establish priorities to assist decision makers nor identify the Ranges importance to Metro Melbourne as a rural refuge and recreation location.

It is an unsolved puzzle in the LPS of how the nine policy domains work together and how they are to focus decision-making in an integrated way. Which elements are binding remains unknown. I will say again these are State-wide priorities only, and there is no clear statement of priorities and outcomes consistent with the legislation and tailored to protection of the Macedon Ranges.

The new Statement of planning policy should incorporate the outcomes envisaged in Statement of Policy no 8.. There are towns clearly identified as the towns to be developed and population be absorbed. There has been extensive consultation about these issues, encoded in planning scheme amendments, that should not be swept aside. The community is intimately aware of the distinctive character and qualities of this area and have closely followed the planning debate to protect and preserve. I trust the next draft of the LPS will reflect both the Minister's intention and the MRPAC's recommendations.

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